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ABSTRACT

Since 1994, at least three children of migrant workers have been maimed in Georgia packing houses while waiting for their parents to finish work. In this personal narrative, a former migrant educational outreach worker describes one such incident in May 1996, in which a 2-year-old lost his hand to the machinery of a Georgia onion packing shed. The incident demonstrates the lax enforcement of laws governing the working conditions, living conditions, and education of migrant families. Although he was at the location on the day of the accident, the author was constrained from speaking by implicit threats to his own job security if he broke the local code of silence. Such constraints were an outgrowth of the hierarchy that oversees the funding of migrant education. In a very tangible way, the region's migrant education was controlled by local school boards whose traditional membership included farmers and their families. These school boards had demonstrated their indifference to non-English-speaking students, instituting special services to such students only after a civil rights investigation. The situation at the state level was even more problematic, as the state superintendent of schools showed reluctant and sometimes hostile responses to the growing needs of immigrant, language-minority, and Latino students. The dilemmas and possible choices faced by migrant education professionals in such circumstances are discussed. (SV)

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CHAPTER 16

The Challenge of Change: A Gringo Remembers Tough Choices

BY SCOTT A. L. BECK

Although this personal narrative is specific to one individual in one state, it could have taken place almost anywhere in our country. Migrant education has produced positive changes in the educational and living conditions of migrant children and their families. Nonetheless, these advances should not mask the terrible inequities and intolerable conditions that continue to exist across the United States, supported by the economics of corporate agriculture and cheap food and the politics of special interests and neglect.[1]

Another Horror Story

During the 2001 fiscal year, Hispanics constituted nearly one-third of all workplace deaths in Georgia, a staggering statistic given that Hispanics make up only 5.3 percent of the state's population. Since

[1]Thank you to an anonymous reviewer for suggesting and outlining this prologue. To assert the universality of this story and protect the privacy of the innocent, a few quotes from regional newspapers have been edited slightly. In addition, all names, except mine, are pseudonyms.

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1994, at least three children have been maimed in Georgia packing houses while waiting for their parents to finish work.[2]

One of these incidents occurred on Monday, May 17, 1996, when two-year-old Javier Gutierrez lost his left hand to a conveyor belt in an onion packing shed. I was working as a migrant education outreach specialist at the time, making my usual rounds of the isolated labor camps that house thousands of Latino migrant farmworkers during the spring onion harvest. I knew my destination that day was one of the most difficult camps in the area—dirty, overcrowded, and a temporary home to Mixtec migrants from rural Mexico whose children frequently were not enrolled in school.

The route to the camp was circuitous, but I had driven those roads many times before. I drove along a quiet state highway and turned off the pavement down a dirt road, passing between two large, flat fields of sweet onions. After about a mile, I turned right onto another dirt road, alongside a stand of pine trees. This road twisted and turned until it gave rise to a third dirt road, smaller and more poorly maintained than the previous two. The third road dipped down through a small stream, turned a corner, and placed me in front of a ramshackle two-story farmhouse adjacent to three mobile homes and a tent, all well out of sight of the main roads.

I found half a dozen preschool children running about the camp only marginally supervised. Even for this camp, this was an unusual and disturbing situation. Although there was a Migrant Head Start program in this county, like most, its funding, capacity, and limited schedule could not match the demand for child care during the height of the $50 million harvest of the onions that "won't make you shed a tear."

One little girl, approximately three years old, cried continually for her mother. An adult who knew me explained in Spanish, "Something has happened. They won't let the children in the shed anymore." He added that the children's parents were in a neighboring field. Wondering what could have happened to ban the workers' children from the packing shed, I drove to the field to search for a crew leader and

[2]"Hispanic Workers Account for Nearly a Third of Georgia Workplace Deaths," *Associated Press State & Local Wire*, 17 December 2001; "Life in Rural South Tough for Hispanics," *Augusta Chronicle*, 9 January 2001, C10; and "Mixing Kids and Machines," *Savannah Morning News*, 16 December 1997, 10A.

further information. There, along with the other workers, I found two school-age children, 11 and 12, harvesting green beans alongside their parents. The parents claimed just to be passing through on their way from Florida to Colorado. They said they had stopped to visit relatives and did not want to enroll their children in school here. Normally, I would be able to obtain the parents' cooperation by gently reminding their crew leader or farmer of the legal necessity to keep children out of the fields. However, with no such authority in sight, I kept looking for someone who could explain what had happened.

I found part of the answer five miles away at the local elementary school, where the children from the camp should have been enrolled. The farmer's wife worked there as a teacher, and the school staff informed me she had left suddenly that day because of an accident at the farm. The next day's newspaper explained the details:

> Javier's parents brought the child to the shed Sunday but kept the toddler in a box, away from the machinery. On Monday, the boy was sitting by his mother when he stuck his hand into a small hole on the machine. . . . The child's hand was cut off about an inch above the wrist.[3]

Javier was evacuated by helicopter to the state medical college, where a failed attempt was made to reattach his hand.

Of Yankee Gringos and Sweet, Sweet Onions

How was I to respond to this tangle of illegalities and conflicts of interest? That was not clear. This was not my home community, but I had learned that there was a local code of silence about such things.

I am a Yankee Gringo, raised among the dairy farms of rural upstate New York. My previous work as a public schoolteacher and as a migrant health outreach worker had allowed me to find work in this region's migrant education office. As a migrant education outreach specialist, I was responsible for a sparsely populated 36-county region that received a growing number of Mexican and Mexican American migrants each year. I spent my days driving the back roads, locating labor camps, and introducing newly arrived migrants to the few

[3]"Toddler's Hand Severed in Onion Grader," *Savannah Morning News*, 28 May 1996, 1A.

bilingual social services in the area. My goals were to meet their immediate needs and make sure their children were in school.

The landscape of this region of Georgia is largely "nothing but marshes and piney woods," to quote John Berendt, except for occasional fields of cotton, tobacco, and sweet onions. As the popularity of these onions has grown, their production has doubled, redoubled, and redoubled again during the past two decades. A *Wall Street Journal* article observed, "Thanks to the onion, farmers here sport Rolexes and drive new Mercedes-Benz sedans."[4]

Years ago, sweet onions were a small seasonal crop and could be harvested by local laborers and schoolchildren. During the 1980s, the expansion of the onion crop outstripped the local farm labor supply. Tentatively at first, and then with enthusiasm, local onion farmers hired crew leaders to bring in Latino migrants. The farmers found that the largely Mexican-heritage migrants would work long, hard hours for low pay. Remarking on the Mexican American migrants, one of the most successful farmers stated, "You could close down the onion industry without them."[5]

Constraints and Hierarchies

I had many things to consider with regard to what I had seen on May 17, 1996. Migrant outreach workers learn to expect, although not accept, routine violations of myriad child labor and school attendance laws, workplace safety rules, and housing regulations. Well-intentioned rules and laws are useless unless vigorously enforced, and, across much of our nation, such enforcement has been scarce for more than a generation. Since the Reagan administration of the 1980s, an anti-regulation climate has weakened the ability of federal agencies to enforce labor laws affecting migrants, especially in rural regions.

Nonetheless, the front-page publicity of two-year-old Javier's injury raised the likelihood of regulatory action. I even hoped that such attention might improve conditions throughout the region since nearby farmers might upgrade working and living conditions out of

[4]John Berendt, *Midnight in the Garden of Good and Evil: A Savannah Story* (New York: Random House, 1994), 29; "No Need to Cry, but Vidalia Onions Cause Bushels of Grief," *Wall Street Journal*, 28 October 1998, A8.

[5]"A Place to Pick," *Macon Telegraph*, 6 August 1995, 9A.

fear of similar scrutiny. Interviewed by a newspaper the day after the accident, a U.S. Department of Labor (DOL) Wage and Hour investigator promised to examine working conditions at the farm, especially potential child labor violations: "We wouldn't want to do nothing and find out tomorrow a 14- or 15-year-old got hurt in the same place."[6] What I had observed seemed highly relevant. Clearly, I had a responsibility to share what I had seen with the investigator.

It was not so simple though. Upon being hired two years earlier, I had been told by my boss's boss that my role was *not* to be an advocate on behalf of migrant families and children. Rather, my role was to facilitate the needs of the local schools, administrators, and teachers. I did not know it at the time, but this role was not in keeping with the National Association of State Directors of Migrant Education's vision that migrant educators should "mobilize students, staff, and parents around a vision of a school in which all students can achieve."[7] Trying to change the basic functioning of schools was not part of my job description; instead, I was hired to minimize the impact of newly arrived migrants on the routines of local schools.

These constraints were an outgrowth of the hierarchy that oversaw the funding of my regional migrant education office. Like all migrant education offices, its funding originates at the federal level and passes through the state department of education. This means that migrant education is always beholden to national and state politics and educational policies.

In addition, our area's migrant education office is administered by a regional educational service agency (RESA), which is controlled by local school superintendents. Thus, in a very tangible way, this region's migrant education office is controlled by local school boards whose traditional membership has included farmers and their families.

This is neither a new nor an isolated phenomenon. In his landmark 1927 study, *The Social Composition of Boards of Education*, George Counts documented that school boards are formed "from the

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[6]"Doctors Optimistic about Boy's Reattached Hand," *Savannah Morning News*, 29 May 1996, 1A.

[7]National Association of State Directors of Migrant Education, comp., *Rethinking Migrant Education: A Response to the National Education Goals: A Report of the Migrant Education Goals Task Force* (Baton Rouge: National Association of State Directors of Migrant Education, 1992) (ERIC Document Reproduction Service No. ED 352 219), 26.

more favored economic and social classes."[8] In rural areas this meant that there would commonly be "three farmers serving on a typical six-member county board."[9]

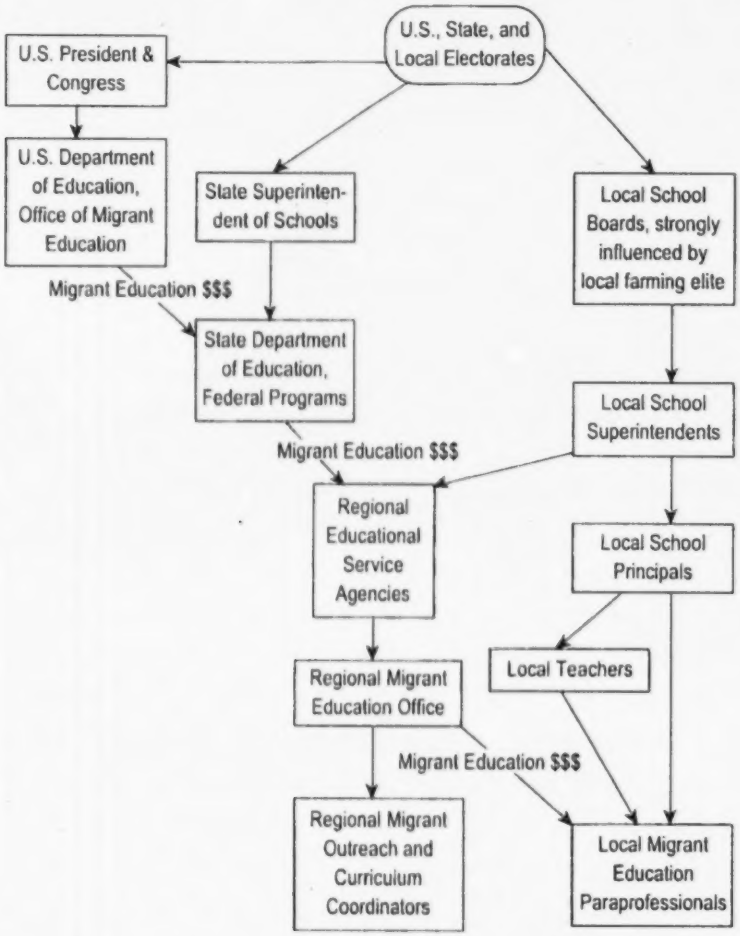
U.S., State, and Local Electorates
U.S. President & Congress
U.S. Department of Education, Office of Migrant Education
State Superintendent of Schools
Local School Boards, strongly influenced by local farming elite
Migrant Education $$$
State Department of Education, Federal Programs
Local School Superintendents
Migrant Education $$$
Regional Educational Service Agencies
Local School Principals
Local Teachers
Regional Migrant Education Office
Migrant Education $$$
Regional Migrant Outreach and Curriculum Coordinators
Local Migrant Education Paraprofessionals

Figure 1. The National, State, and Local Hierarchy of Migrant Education

[8]George S. Counts, *The Social Composition of Boards of Education: A Study in the Social Control of Public Education* (Chicago: University of Chicago, 1927), 82, as cited in Herbert M. Kliebard, *The Struggle for the American Curriculum: 1893-1958* (New York: Routledge, 1995), 159.

[9]Kliebard, *Struggle for the American Curriculum*, 159.

This pattern has not changed. In 1999, in a county a few miles to the east of the accident site, three of the six school board members were either farmers themselves or from prominent farming families. In another neighboring rural county, conflicts of interest among the board of education and school administrators caught the attention of a regional newspaper a year before the accident:

> Education in this county is a relative concern. Literally. The superintendent is married to the curriculum director. Their nephew is the school system's attorney. Three of the five members of the county board of education have spouses or children employed in county schools. In short, the school system in this county of 16,000 is a tangle of family trees.[10]

These school boards have demonstrated their indifference toward non-English-speaking students. Despite the presence of a substantial and growing English language learner (ELL) population, the school boards in this region have resisted instituting ELL educational services. Such services were begun in the school district where Javier lost his hand only after a U.S. Department of Education Office of Civil Rights investigation in 1999 found violations of *Lau v. Nichols*, the Supreme Court decision that defined the nature of equal education for language-minority students. Working within this context, my paycheck and continued access to migrant children in the schools depended upon my willingness to avoid stepping on the toes of the farming families, school boards, and administrators of the region.

Silencing Migrants and Their Advocates

Migrant families had no counterbalancing power representing their interests in this hierarchy. Locally, Mexican Americans have yet to find a political voice. Despite making up as much as 10 to 20 percent of the local school population year-round, they are still perceived by many as a largely transient population. Their political weakness is compounded by the large numbers who lack the right to vote or who choose not to vote. There is only one Mexican American political activist in the area. Operating on a shoestring budget out of

[10] "All in the Family in Appling," *Savannah Morning News*, 11 May 1995, 1.

an old storefront, she has limited capacity to address the needs of thousands of migrants.[11]

Regionally, the mandated migrant education parent advisory council (PAC) meetings offer appealing rhetoric about the importance of parent involvement but provide little political empowerment. Using Bauch's typology of parent involvement, attendees at PACs are frequently reminded of the role of parents as "teachers of their own children," "school volunteers," and "adult learners," but the more political and powerful roles of parents as "decision makers" and "teacher colleagues" are overlooked.[12] The PACs never have become forums for pursuing real changes in migrant education, let alone in the schools or workplaces. PAC meetings and agendas are organized by migrant education staff. In the end, each PAC meeting is a hoop to be jumped through—required by federal funding but largely irrelevant to migrant education's daily operations.

At the state level, the situation has been even more problematic. In 1994, a new state superintendent of schools was elected. Edmund Hamann described this superintendent's administration as providing "limited, reluctant, and sometimes hostile response[s]" to the rapidly growing needs of immigrant, language-minority, and Latino students in the state.[13] Starting from the top and working down, the superintendent and her staff systematically purged the state department of education staff of persons supportive of multiculturalism and replaced them with staff amenable to her agenda. For example, the new federal program director stated that this "administration does not support multicultural education and it does not celebrate diversity."[14]

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[11]Sidney Verba, Kay Lehman Schlozman, and Henry E. Brady, *Voice and Equality: Civic Voluntarism in American Politics* (Cambridge, MA: Harvard University Press, 1995); and Debra Sabia, "Challenges of Solidarity and Lessons for Community Empowerment: The Struggle of Migrant Farm Workers in Rural South Georgia," in *SECOLAS Annals*, ed. Nancy Shumaker (Carrollton, GA: Thomasson, 1999).

[12]Jerold P. Bauch, "Categories of Parental Involvement," *School Community Journal* 4(1): 53-60 (1994).

[13]Edmund T. Hamann, "The Georgia Project: A Binational Attempt to Reinvent a School District in Response to Latino Newcomers" (Ph.D. diss., University of Pennsylvania, 1999), 145.

[14]Hamann, "The Future is Now: Latino Education in Georgia", (paper presented at the American Anthropology Association Annual Meeting, Washington, DC, 22 November 1997) (ERIC Document Reproduction Service No. ED 445 854), 13. For

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The new Title I director, who oversaw migrant education and ESOL, (English for speakers of other languages) proposed a series of problematic approaches:

- requiring ESOL teachers to report any suspected illegal alien students to the Immigration and Naturalization Service
- advocating the U.S. military's high-cost intensive instruction model to teach ELLs fluent English in just six months
- advocating a commercial "failure-free reading program" to teach reading to ELLs in just six weeks of 20-minute sessions
- rejecting bilingual education
- hiring an English-only advocate as state ESOL coordinator
- implementing an English-only pretest/posttest regime in migrant summer school programs across the state, taking four or more days of instructional time away from a 20- to 25-day session

Former migrants worked at the lowest levels of the migrant education hierarchy, but many were in their first nonagricultural jobs and very vulnerable to being fired for making waves. Most had very little experience negotiating the politics of rural U.S. communities. Thus, their positions usually were reduced to the vital but limited roles of caring individuals and cultural brokers.[15]

That left only a handful of migrant staff like myself, well-intentioned professionals with the cultural capital to meet the system on its own terms.

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a much more detailed discussion of recent ELL educational policy and politics in Georgia, see Scott A. L. Beck and Martha Allexsaht-Snider, "Recent Language Minority Education Policy in Georgia: Appropriation, Assimilation, and Americanization," in *Education in the New Latino Diaspora: Policy and the Politics of Identity*, ed. Stanton Wortham, Enrique Murillo Jr., and Hamann (Westport, CT: Ablex, 2001).

[15]Beck and Allexsaht-Snider, "Recent Language";. See also: Margaret Gibson and Livier F. Bejínez, "Dropout Prevention: How Migrant Education Supports Mexican Youth," *Journal of Latinos and Education*, (forthcoming); Hamann, "Creating Bicultural Identities: The Role of School-based Bilingual Paraprofessionals in Contemporary Immigrant Accommodation" (M.A. thesis, University of Kansas, 1995); and Melford S. Weiss, "Marginality, Cultural Brokerage, and School Aides: A Success Story in Education," *Anthropology & Education Quarterly* 25(3): 336-46 (1994)

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Making a Choice

It seemed I had only a few options regarding what I had seen that day:

- I could say nothing, which would preserve my job and my working relationships with the schools and farmers. But, would I be able to sleep at night?
- I could speak privately to the farmer about his child labor practices, as I had done before with others. But, this approach would neglect the opportunity to prompt potentially wider change through regulatory action.
- I could speak out publicly as an advocate for the rights of children and be certain that my opportunity to work in and with the schools would be curtailed.[16]
- As some critical ethnographers suggest, I could pursue discrete involvement with the families at the camp and thereby encourage them to speak out for themselves. However, this approach is particularly difficult and time-consuming in small rural communities where comings and goings are well-observed and with people who lack the linguistic and political skills to act within the local system.[17]
- Finally, I could address the problem via regulatory enforcement agencies as a supposedly anonymous whistle-blower. But, this would turn the problem over to a bureaucracy that might not fulfill its purpose.

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[16]In retrospect, I wish that I had had the chutzpah to adopt the activist role modeled by Gloria Anzaldúa in her poem "El sonavabitche," in *Borderlands / La Frontera: The New Mestiza* (San Francisco: Spinsters/Aunt Lute, 1987):

You want me telling every single one
Of your neighbors what you've been doing
All these years? The mayor too?
Maybe make a call to Washington? . . .
I'd seen it over and over.
Work them, then turn them in before paying them.
But, I did not have such bravery.

[17]Christine Sleeter, "Activist or Ethnographer? Researchers, Teachers, and Voice in Ethnographies that Critique," and Loida Velázquez, "Personal Reflections on the Process: The Role of the Researcher and Transformative Research," in *Inside Stories: Qualitative Research Reflections*, ed. Kathleen B. deMarrais (Mahwah, NJ: Lawrence Erlbaum, 1998), 49-66.

I naively tried to convince my employers I must speak. After explaining what I had seen to my boss, I was cautioned to talk to the RESA director before doing anything. The RESA director advised me not to do or say anything publicly; but, I was encouraged to be honest if approached by an investigator. This would allow the RESA deniability in case a school board member complained that I had been making trouble.

This presented a dilemma. How could I, without stepping forward publicly, make sure an investigator would contact me? I discreetly placed a call to a legal services farmworker advocate and told him I had relevant information about the accident investigation. Within a few days, I was contacted by a U.S. DOL investigator and gave a formal statement of what I had seen.

I then found out about the inadequacy of the enforcement and legal systems. The array of rules and regulations, so onerous from the farmer's perspective, had gaps as big as a two-year-old's outstretched left hand. Because Javier had been too young to help sort onions, the DOL would not pursue the issue of this specific child being in the packing shed, making it unlikely any fine would be assessed relating to the accident. Instead, the DOL would look for other child labor violations in the fields. The DOL's only Spanish-speaking investigator in the region was responsible for tens of thousands of migrant farmworkers spread across hundreds of miles. She could not possibly investigate the large number of complaints she received on a regular basis. Thus, despite the horrible and very public nature of Javier's accident, it did not become her priority case. It was nearly four months before I received any follow-up contact from the investigator. In the end, despite a recommendation by the investigator for penalties of $6,800, the DOL levied no fines against the farmer. Moreover, despite four DOL investigations since 1994 showing repeated violations and infractions by the same farm, no civil fines have ever been assessed.[18]

A few years later, I saw Javier again at a different migrant camp in the same county. He and his parents still moved with each season, forced by grinding poverty to seek work wherever they could find it.

[18]This information was obtained by the author through a Freedom of Information request to the U.S. Department of Labor, Employment Standards Division, Wage and Hour Division, Atlanta, 16 December 2002.

Meanwhile, the farm that took his hand was still in operation, and the camp where I had seen children in the fields was still overcrowded and substandard. Little had changed in the economy of local onion production or even in Javier's life–except that he would grow up with a stump where a hand was supposed to be.

Epilogue

In late 1997, I shifted from migrant outreach to migrant education curriculum work. Migrant education curriculum coordinators were the staff members most likely to run afoul of the state superintendent's agenda because much of our time was spent planning migrant summer school curricula and providing ELL training and materials to teachers.

All the migrant education curriculum coordinators resisted the state department of education agenda. The success of the existing whole-language curriculum, doubts regarding the testing of ELLs in English, and concerns about decontextualized back-to-basics remedial instruction were all presented as counterarguments to the new migrant curriculum. Nonetheless, we were forced by the state department of education staff to implement their new program.

Our resistance brought greater scrutiny. The resulting tension reached a climax during the summer of 1999, when one of my colleagues contacted the U.S. Department of Education Office of Civil Rights regarding an ELL student whose school district was not providing any ESOL classes, nor any other ELL services, in disregard of *Lau v. Nichols*. In response, the state Title I director defunded our positions, effectively firing all seven migrant education curriculum coordinators, including myself. The state department of education later acknowledged the impropriety of this action by settling, out of court, a lawsuit filed by one of my colleagues.

In the end, the curriculum positions were refunded. Nonetheless, a number of long-time migrant education employees, including myself, left their jobs in the wake of this attack on the regional offices. Moreover, the attempted defunding reinforced a programwide reluctance to report illegal educational practices in the schools and problematic situations on the farms. The department of education's failed attempt at defunding migrant education curriculum coordinators did succeed in silencing many strong advocates for migrant children.

My decision to leave migrant education was not entirely my own. Nonetheless, I could have fought to keep my position. I chose not to do so. My supervisors cautioned me that fighting the defunding publicly could make it difficult for local school systems to look upon me favorably in the future. I had already learned from experiences such as Javier's accident that my work in migrant education was limited to administering metaphoric Band-Aids to cover gaping wounds in the system. Thus, I decided to go quietly.

Since then, I have spent the past four years working toward a doctorate in education to help me write and speak honestly and intelligently about all I have seen. This chapter is a part of that process. My writing cannot give Javier his hand back, but it might give pause to those who want to oppress migrants or silence the voices of migrant educators. Advocating for the poorest of the poor is never a popular job, nor is it an easy one. I regret to say I may not always have made the best choices. Perhaps this reflection will help other migrant educators examine their consciences and their options when facing troubling choices, which can occur any time they step into a field, camp, or classroom.

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